

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

H-W TECHNOLOGY, LC,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
VS.)	
)	3:12-CV-0636-G (BH)
OVERSTOCK.COM. INC., ET AL.,)	
)	
Defendants.)	

ORDER

After making an independent review of the pleadings, files and records in this case, and the findings, conclusions, and recommendations of the of the United States Magistrate Judge, I am of the opinion that the findings, conclusions, and recommendations of the magistrate judge are correct and are adopted as the findings and conclusions of the court.

It is therefore **ORDERED** that the findings, conclusions, and recommendations of the United States Magistrate Judge are adopted. Accordingly, the following disputed terms of the '955 patent are construed as follows:

- (1) The terms "Internet Phone (IP) Phone" and "IP Phone" are construed as "a telephone which can operate and

execute voice communication in the same way as conventional telephones either via a Plain Old Telephone System (POTS) or an IP network, and which can use the IP network for data applications.”

- (2) The terms “user of said IP Phone” and “said user” are construed as “a consumer operating the IP Phone.”

In addition, the following terms are construed as agreed by the parties and as set forth below:

- (1) The term “contextual search” is construed as “a search using both query terms and contextual information.”
- (2) The term “completes a transaction” is construed as “receives delivery of a purchased service or product.”

September 23, 2013.



A. JOE FISH
Senior United States District Judge